

AMENDED IN ASSEMBLY MAY 18, 2009

AMENDED IN ASSEMBLY APRIL 22, 2009

AMENDED IN ASSEMBLY APRIL 2, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 988

Introduced by Assembly Member Brownley
(Coauthor: Assembly Member Ma)

February 27, 2009

An act to amend Section 13519.14 of, and to add Section 13835.11 to, the Penal Code, relating to human trafficking.

LEGISLATIVE COUNSEL'S DIGEST

AB 988, as amended, Brownley. Human trafficking: ~~civil actions; training of caseworkers;~~ *training content*.

Existing law establishes the offense of human trafficking. Existing law requires the Commission on Peace Officer Standards and Training to implement a course or courses of instruction for the training of law enforcement officers in California in the handling of human trafficking complaints and to develop guidelines for law enforcement response to human trafficking, as specified.

This bill would additionally require the commission, upon the next regularly scheduled review of a training module relating to human trafficking, to create and make available training content on the U Visa, as specified.

~~Existing law requires the Director of Finance to designate an agency or agencies to establish a statewide victim assistance training program for specified purposes, including certifying training programs.~~

~~This bill would require the agency designated by the Director of Finance to certify the training program for human trafficking caseworkers to be the same agency designated by the director to certify the training program for sexual assault counselors. The bill would require that agency to complete the certification of the training program for human trafficking caseworkers on or before June 30, 2010.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13519.14 of the Penal Code is amended
2 to read:

3 13519.14. (a) (1) The commission shall implement by January
4 1, 2007, a course or courses of instruction for the training of law
5 enforcement officers in California in the handling of human
6 trafficking complaints and also shall develop guidelines for law
7 enforcement response to human trafficking. The course or courses
8 of instruction and the guidelines shall stress the dynamics and
9 manifestations of human trafficking, identifying and
10 communicating with victims, providing documentation that satisfy
11 satisfies the law enforcement agency endorsement (LEA) required
12 by federal law, collaboration with federal law enforcement officials,
13 therapeutically appropriate investigative techniques, the availability
14 of civil and immigration remedies and community resources, and
15 protection of the victim. Where appropriate, the training presenters
16 shall include human trafficking experts with experience in the
17 delivery of direct services to victims of human trafficking.
18 Completion of the course may be satisfied by telecommunication,
19 video training tape, or other instruction.

20 (2) The commission shall, upon the next regularly scheduled
21 review of a training module relating to human trafficking, create
22 and make available training content on the U Visa as authorized
23 by the federal Victims of Trafficking and Violence Protection
24 Act of 2000. The training shall include how to inform victims about
25 the U Visa and how to apply for a U Visa. The training regarding
26 the U Visa shall include, but not be limited to, an explanation that
27 it is available to noncitizen crime victims who have suffered
28 substantial physical or mental abuse from criminal activity, have
29 information regarding criminal activity, and assist government

1 officials in the investigation or prosecution of that criminal activity,
2 if the criminal activity violated United States law or occurred in
3 the United States, including Indian country and military
4 installations, or in the territories and possessions of the United
5 States. The training content shall be designed for, and made
6 available to, peace officers employed by law enforcement agencies
7 that participate in, and comply with, training standards set forth
8 by the commission.

9 (b) As used in this section, “law enforcement officer” means
10 any officer or employee of a local police department or sheriff’s
11 office, and any peace officer of the California Highway Patrol, as
12 defined by subdivision (a) of Section 830.2.

13 (c) The course of instruction, the learning and performance
14 objectives, the standards for the training, and the guidelines shall
15 be developed by the commission in consultation with appropriate
16 groups and individuals having an interest and expertise in the field
17 of human trafficking.

18 (d) The commission, in consultation with these groups and
19 individuals, shall review existing training programs to determine
20 in what ways human trafficking training may be included as a part
21 of ongoing programs.

22 (e) Participation in the course or courses specified in this section
23 by peace officers or the agencies employing them is voluntary.

24 ~~SEC. 2. Section 13835.11 is added to the Penal Code, to read:~~

25 ~~13835.11. The agency designated by the Director of Finance~~
26 ~~pursuant to Section 13820 to certify the training program for human~~
27 ~~trafficking caseworkers, as defined in subdivision (b) of Section~~
28 ~~1038.2 of the Evidence Code, shall be the same agency designated~~
29 ~~by the Director of Finance to certify the training program for sexual~~
30 ~~assault counselors, as defined in Section 1035.2 of the Evidence~~
31 ~~Code. That agency shall complete the certification of the training~~
32 ~~program for human trafficking caseworkers on or before June 30,~~
33 ~~2010.~~